

UNITED STATES DISTRICT  
COURT  
SOUTHERN DISTRICT OF  
NEW YORK  
UNITED STATES OF  
AMERICA,  
-against  
HO WAN KWOK,  
a/k/a "Miles Guo,"  
a/k/a "Miles Kwok,"  
a/k/a "Guo Wengui,"  
a/k/a "Brother Seven,"  
a/k/a "The Principal,"  
KIN MING JE,  
a/k/a "William Je," and  
YANPING WANG,  
a/k/a "Yvette,"  
Defendants  
Judge Analisa Torres

Case No. 1:23-CR-118-1 (AT)

## Motion to Compel Prosecution to Disclose Known Victims

Chunk Chyi, as an interested party in the case, hereby submits this motion pursuant to the Due Process Clauses of the Fifth and Fourteenth Amendments to the United States Constitution, requesting that this Court order the prosecution to disclose the list of known victims and related basic information in this case. The grounds for this motion are as follows:

### 1. Identity and rights of interested parties

I have a significant interest in this case. The funds in the confiscation order, including my approximately \$20,000 funds, are essential for assessing the impact of the case on my rights and interests and taking necessary protective measures.

### 2. Applicability of Constitutional Due Process

The Fifth Amendment to the U.S. Constitution guarantees due process in federal proceedings, while the Fourteenth Amendment extends this protection to state proceedings. Together, these provisions establish that the government may not deprive any person of "life, liberty, or property" without fair process. As an interested party, I am entitled to access information directly relevant to my rights to ensure meaningful participation in or response to this case's implications.

### 3. Non-Disclosure Violates Due Process

The prosecution currently possesses the list of known victims but has withheld it from interested parties, preventing me/us from accurately evaluating the specific impact of this case on my/our interests. This information asymmetry undermines procedural fairness and may deprive me/us of the opportunity to pursue appropriate legal remedies or safeguard my/our rights. For instance, if I/we are potential victims or connected to victims, non-disclosure substantially impedes the exercise of my/our rights, constituting a violation of constitutional due process.

### 4. Necessity and Reasonableness of Disclosure

Disclosing the victim list will not unduly interfere with the investigation or trial of this case. On the contrary, it will enhance the transparency of the judicial process and ensure equal protection of all relevant parties' legitimate interests. The Court may impose reasonable restrictions (e.g., disclosure limited to interested parties or prohibition on public dissemination) to balance privacy concerns with due process requirements.

### 5. Specific Request

Based on the due process protections enshrined in the Fifth and Fourteenth Amendments, I respectfully request that this Court order the prosecution to provide the following immediately:

- a. List of victims confirmed in this case through Documents 10-1 and 11;
- b. List of known victims mentioned in the indictment;
- c. List of victims of the original reporter;
- d. Summary of basic facts related to the identity of the victims (not involving sensitive private information);
- e. If the prosecutor believes that there are reasons to limit disclosure, a written explanation must be submitted to the court for review.

### 6. Conclusion

Failure to disclose the victim list prevents me/us from adequately protecting my interests, thereby undermining the procedural fairness guaranteed by the Constitution. To uphold justice, I respectfully urge this Court to grant this motion and compel the prosecution to fulfill its disclosure obligation. Wherefore, I respectfully request that this Court grant this motion and issue an appropriate order.

In addition, I would like to remind the prosecutors not to use the excuse that the list of victims needs to be kept confidential. You can seal and black out the names of the victims or directly disclose which group of people the victims are, such as GTB investors or creditors, etc. The most important thing is who or which group of the thousands of victims known in the indictment are, and who the original victims who reported the case are. Please ask the prosecutors to disclose it immediately. The prosecutors should be very clear that if the original victims reported are GTV investors or creditors in the bankruptcy case, the prosecutors will immediately lose the lawsuit.

Sincerely

Chunk Chyi



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